

Port of Umpqua

Regular Meeting Minutes
May 18, 2022 at 7 p.m.
Port of Umpqua Annex
1841 Winchester Ave
Reedsport, OR

THESE MINUTES ARE FINAL and APPROVED.

Commissioners Present:

President Keith Tymchuk
Vice President Eric Boe
Secretary Carey Jones
Treasurer Joe Mulkey
Assistant Secretary VACANT

Port Staff Present:

Port Manager Charmaine Vitek
Port Manager Scott Kent
Administrative Assistant Karen Halstead

NOTE: All items handed out at the meeting are available for view by request.

Proceedings:

The meeting was called to order at 7 p.m. by President Keith Tymchuk.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA – All items listed are considered routine and will be enacted by one motion

- **APPROVAL OF AGENDA:** Scott requested one addition be added to the agenda, Item #5 – GASB 75 Service Agreement.
- **APPROVAL OF MINUTES:** April 20, 2022
- **APPROVAL OF BILLS:** \$7,438.70

Commissioner Jones made a motion to approve the Consent Agenda, 2nd by Commissioner Mulkey. Motion was passed by unanimous vote.

PUBLIC COMMENT:

Reedsport School Trap Shooting Team members, parents & coach Tosh Tipton (in attendance were Sheri Zeller, Creo Zeller, Natalie Zeller, Jessica Osario, Grady Hunter, Amanda Vitek, Chris Vitek, Dylan Vitek & Holdyn Vitek)

Introductions were made and Tosh, the coach explained the formation of the inaugural clay shooting team. There are a total of 50 schools participating in this sport. Scores are kept by each school and submitted each week. Sheri Zeller, one of the parents noted that this is considered one of the safest sports in school. Safety is definitely their number one priority. Some of the kids have taken hunter's safety courses and there is a course offered through the league the kids take before being eligible to compete.

Right now, the team is allowed to shoot on private property. In the future they would like to be able to have a more permanent location for a gun range setup with a trap field. When asked what the team needs right now, Tosh listed a safe to keep the firearms secured in, targets and ammo, because right now they are paying for their own. Carey pointed out that there is a business in town who is selling some safes they may want to check out.

The kids then gave the Commissioners a very nice thank you card for The Port's donation to help the team get started.

REGULAR BUSINESS:

1. Local Government Law Group attorney fees

Scott: At the last meeting there was an inquiry regarding the rate increase notice that was received from LGLG, and how it compared to attorney rates that other ports are paying. As requested, other ports were asked what they pay for attorney fees. The average was \$253/hour. LGLG is raising their fees to \$260/hour for labor work and \$285/hour for labor hearings. LGLG has done an excellent job for The Port.

Keith: Comparing \$253 to \$260 is a small increase. Some of the attorney fees that were reported back were considerably higher.

- **Commissioner Jones made a motion to approve that the Port of Umpqua continue to engage Local Government Law Group for legal services, 2nd by Commissioner Mulkey. Motion was passed by unanimous vote.**

2. Resolution to extend workers' compensation to volunteers

Scott: The Port's insurance company requested this. If The Port doesn't adopt this resolution, then volunteers are not covered. He recommended that this resolution be approved.

Carey: If one of the commissioners were to attend a class or training and were to trip and break an ankle, would that be considered official duty?

Scott: From the information he has gathered the board members would be covered.

Keith: This is less about board members; they have always been covered when traveling on official business by SDAO insurance. Volunteers are different.

Charmaine: Pointed out that the board members “are” volunteers.

- **Commissioner Mulkey made a motion to adopt Resolution 22-01 extending Workers Compensation Coverage to Volunteers of the Port of Umpqua, 2nd by Commissioner Boe. Motion was passed by unanimous vote.**

3. Support for Reedsport’s Memorial Weekend Celebration

Scott: Jim Wells stopped by and asked if The Port would be interested in donating \$100 towards the Memorial Day Weekend Celebration.

Eric: Felt he should abstain from the vote because he is a member of the Lions Club. Carey pointed out this request was coming from the “Memorial Day Committee” and not the Lions Club.

- **Commissioner Jones made a motion to approve a \$100 donation to the Reedsport Memorial Weekend Celebration to be paid out of the general fund, 2nd by Commissioner Boe. Motion was passed by unanimous vote.**

4. Social Media Policy

Scott: SDAO is really bullish on cyber security awareness these days. This is an item that SDAO thought The Port should adopt, it covers the use of social media when acting on behalf of The Port.

Charmaine: This also qualifies for 2% of the 10% discount on the property and liability insurance premium that the board is eligible to receive.

- **Commissioner Mulkey made a motion to approve the Port of Umpqua Social Media Policy as drafted, 2nd by Commissioner Jones. Motion was passed by unanimous vote.**

5. GASB 75 Actuarial Services Agreement

Charmaine: About 3 or 4 years ago there was a decision that districts needed to have enough money to pay future liabilities, similar to PERS and/or retirement liabilities. Some ports don’t have PERS or future liabilities such as The Port of Umpqua, so nothing was done with it. As it turns out it is a requirement. SDAO has engaged Milliman to do these reports. Since The Port didn’t have any future liabilities and didn’t sign up for this we missed out. Milliman has been gracious in letting The Port go ahead and sign up now, it is a requirement pertaining to the audit.

Signe, The Port’s auditor is aware of this and understands what is required from her. What is being asked of the board is to sign a contract that authorizes Milliman to do this for The Port of Umpqua through Special Districts and Special Districts will pay for it.

- **Commissioner Boe made a motion to approve the Port President to sign the GASB 75 Actuarial Service Agreement with Special Districts Insurance Services for Milliman, Inc. to perform the GASB 75 OPEB valuation, 2nd by Commissioner Jones. Motion was passed by unanimous vote.**

REPORTS:

STAFF REPORT:

Scott: He said he had 2 items to report.

Item #1:

Yesterday we spoke to Jon at Pacific Dream Seafoods regarding the proposed wharf location on the south side of the Umpqua Spit. At this time PDS are just at the beginning of the process to decide how the spit will be laid out with their plans. The Port's advice and agreement was to have PDS continue forward with their design and layout and to keep The Port informed.

Keith: The PDS agreement with The Port was that they have 2 years to begin building their facilities on the spit, it has been just a little more than a year right now.

Carey: So, they want The Port to hold up on our plans for the other dock?

Keith: The contract with PDS when they leased the property says that PDS will begin to build within 2 years. PDS can figure out their layout and then The Port will figure out the details for a dock. PDS was concerned that they would be limited to build only on a portion of the property. They are in the design phase and want to figure out what will be the best fit.

Joe: He has told Jon he needs to come down and have everyone go out to the spit and talk about what everyone wants done out there and hopefully come up with a plan together. Would hate to have PDS waste money on designing and then The Port comes in and explains that there are plans The Port has too.

Carey: Total agreement with Joe's plan to keep in communication with PDS. They could spend a lot of money on a design, and it could possibly close off the area where The Port wants to put a dock. Would like to see The Port engage with Jim Zimmer as well because he is working on dredging and now would be the time to jump on board and possibly help Salmon Harbor who in turn could help The Port in getting that area dredged to allow for bigger vessels to be able to get into the area. It may not be used right away but at least that portion would be done and it would let everyone know that is what The Port of Umpqua is wanting to do in the future.

Keith: Would like to remember The Port has an agreement with PDS that was first and primary and came before there was any discussion on a dock. The Port should honor that agreement if possible and allow PDS to build what and where that will fit their needs.

Carey: If for some reason things do not work out for PDS then The Port will have a building out there and will miss out on having the property available to build another dock and another hoist where we want to. Everyone should go out there together when PDS does come down

and see if we can work together on the plans. We can't tell them what to do but it makes sense to be in communication with them now and try to work with them.

Joe: There are really 3 things to be considered. 1. The Port would like to build a dock. 2. PDS has to be able to build what they need to accomplish what they want to do. It is his understanding PDS wants to be able to freeze a few tons of squid a day and the same with shrimp. They will not need that big of a building to accommodate that. 3. Getting trucks in and out of that area.

Keith: Does the dock that you envision have to be built on the side that has been discussed or could it be built to the same specs and access at another location on the spit?

Joe: Doesn't know the details for the layout of the oyster place but if The Port could get that area, it may be possible to build a dock in that location.

Charmaine: Thinks that the permitting is going to be more than everyone thinks it will be. If The Port is serious about a dock, she suggested engaging a consultant to find out if it would even be doable. She doesn't think it will be based on what government agencies including NOAA and the Corp are doing right now, at least not within a time limit that would be less than 7 to 10 years and the cost is going exorbitant.

Keith: Do you have a consultant in mind? Charmaine did not.

Scott: Would contact Moffat/Nichols and Nor 'West. Not only to ask if they would do a design for a wharf later on but also ask if they will help with permitting.

Keith: Who can The Port initially reach out to, perhaps other ports who have worked on permitting or have tried to get permits for docks in recent history. Would like to know what the timeline looks like in terms of permitting and costs.

Charmaine: Toledo is the most recent she could think of. Astoria will be building a huge facility but that one is not being built by the port.

Joe: Newport is currently putting in a dock right in the harbor.

Keith: Direction to Scott to reach out to members of OPPA and ask if anyone has done a recent project like this and see if we can get a sense of the permitting timeline; also, if anyone has a recommendation on a consultant to help. Charmaine suggested contacting Greg Speers of the A.C.O.E., he is the coastal project manager. He is involved in what Jim and Salmon Harbor are working on so he is probably familiar with the site, and he could give some insight on the probability of this happening.

Charmaine: Mentioned that she had heard the oyster guy wanted to sell his place, he was asking \$30,000. If that is a better location maybe that is an option to think about.

Joe: If the oyster guy is wanting to sell that place, maybe The Port could buy it and extend the current dock down that way, that would kind of get rid of the dredging problem too.

Keith: Direction to Scott, reach out to the oyster guy, and ask him if The Port were ever interested, not that we are, but what would be the price for his place?

Scott:

Report item #2:

After the inspection of Umpqua River Wharf by Moffat/Nichols they issued a report. The repair plan section of the report recommended \$479,000 in repairs. Of that amount the majority of the cost was concrete encapsulation of 18 remaining exposed piles. The remaining \$29,500 was to replace deteriorated wood members, repair of the coating on the existing steel beams and repair of the coating on the steel sheet piles.

Scott contacted BST Associates regarding possible grant funding for the recommended repairs but they didn't think this would be a good fit for grant funds because it would not be directly tied to the creation of jobs.

Keith: The Port could consider taking care of the smaller projects and then if or when the M-5 project comes to fruition or something else comes up, The Port would need to proceed with the encapsulating portion. No decision is needed tonight, just wants the Commissioners to be thinking about doing any needed repairs at a later date.

Keith asked about the condition of the deck of the dock and Scott said it is in really good shape.

Joe: When they quoted those repair prices was there a breakdown at all? He was asking to see if it would be worth having a couple of pilings done at a time. Scott felt the road cost would be enough to justify having it all done at one time.

COMMISSIONERS:

Carey: Graduation is June 12th; it will be in person this year at the gym. The boy's baseball team is going to the state play-offs this year.

Joe: There's a big push right now for wind energy in the ocean. If it goes through from his understanding, going from Coos Bay > south is going to completely shut down the shrimp and ground fishing fleets. Joe would like The Port to send a letter stating that The Port does not support this.

Keith: Spoke to people who were at the public meeting that was in Coos Bay about a week ago and they said the thrust of that was to push it out another 2 miles offshore. This was a request from the ground fishing fleet. By doing this it would get out of the waters for the ground fishing.

Joe: What he doesn't like is that they are talking about "leasing" the grounds to the wind energy places. This means even though it is technically publicly owned it will give the leaser the power to not allow people to access the area.

Keith: On the east coast where they have leased out areas it is all contingent upon a build. If a chunk of water is leased, they will lose the lease if they don't develop.

Joe: Has a friend who is very involved in all of this and he would be willing to come talk to the commission. This effects long lining, pot fishing and draggers. There are RCA's (Rockfish Conservation Areas) and the first one starts at 100 fathoms; long liners and pot boats cannot go inside of 100 fathoms. Another one starts at 200 fathoms and all of the

dragger boats cannot go inside of that. In the last couple of years, it's been adjusted, they have bumped it in a few spots for the draggers but for the most part 200 fathoms and out are dropped. Originally it was 100 fathoms for everyone, then later on they moved the draggers out to 200 fathoms.

Keith: Asked how the board wants to proceed with the open position on the Port Commission. The board can keep it open until there is a larger number of applicants or close it with the one submission and approve it at next month's meeting.

Joe: Asked if it was only published on Facebook and the website?

A: It was published in the newspaper as required.

Carey: The Port set it up with a date and after that date it was going to be closed and a decision would be made. The school board had the same situation and after 3 extra months they still only had the one applicant who originally applied. Would love to have a room full of applicants but we don't.

Keith: There is one applicant now, that application will be distributed to the board members to review, and the board will revisit this topic next month.

The meeting was adjourned at 8:12 p.m.

The next Port of Umpqua Regular Meeting will be held June 15, 2022 at 7:00 p.m. at the Port of Umpqua Annex building, 1841 Winchester Ave., Reedsport, Oregon 97467.

****Note: THESE ARE QUESTIONS FROM THE COMMISSIONERS WHILE SIGNING CHECKS, BOTH AT THE END OF THE MONTH, AND DURING THE CHECK SIGNING AT THE MEETING:**

4/29/22:

Commissioner questions from check signing at end of the month to be included in the May 18, 2022 minutes:

Eric: Who is Pacific Source?

A: That is the Dental Insurance Company.

Checks were signed by Commissioners Boe and Jones.

Questions from check signing at the May 18, 2022 meeting:

Joe: Regarding the check to Fred Wahl, wasn't the log he repaired one he wanted to put in, in the first place?

A: No.

Checks were signed by Commissioners Mulkey and Tymchuk.

Keith Tymchuk, President

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Karen Halstead, Admin. Assistant

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Recorder – Karen Halstead